

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

FRANK W. GLOVER,

Plaintiff,

v.

CLIENT SERVICES, INC., and
JOHN DOE a/k/a "MR. WEST"
a/k/a "DAVID WEST",

Defendants.

Case No. 1:07-CV-081

Hon. Richard Alan Enslen

WARNER LAW FIRM, LLC
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For Defendants

PLAINTIFF'S MOTION TO AMEND THE COMPLAINT

NOW COMES, Plaintiff Frank W. Glover ("Plaintiff") by and through his counsel, Curtis C. Warner of Warner Law Firm, LLC, and requests this Honorable Court for leave to file the Amended Complaint attached hereto as Appendix 1.

In support of this motion Plaintiff states the following:

1. Pursuant to Local Court Rule 7.1(d) on February 27, 2007, counsel for Plaintiff, Curtis C. Warner conferred with Elizabeth C. Jolliffe by telephone prior to filing this motion. During the conversation, Plaintiff's counsel discussed with Defendant's counsel the relevant facts upon which the Amended Complaint is based and Plaintiff's counsel's concern of the possibility of Defendants making a Rule 68 offer of judgment upon learning that Plaintiff

seeks to amend his complaint adding class claims. It is based upon Plaintiff's counsel's concern that an offer a judgment before leave to file a class complaint is filed would moot the class' claims, that Plaintiff's counsel promptly filed this motion.

2. Fed. R. Civ. P. 15(a) provides that after a responsive pleading is filed, a party may amend his pleading, "only by leave of court or by written consent of the adverse party, and leave shall be freely given when justice so requires."

3. On information and belief it is now believed that on November 1, 2006, Defendants contacted Plaintiff.

4. A review of Plaintiff's telephone records demonstrates that Defendant Client Services, Inc., would have used a caller id blocker when Defendants contacted Plaintiff on that day.

5. Plaintiff has amended his complaint to add allegations on behalf of himself and a class of similarly situated persons that Client Services, Inc's blocking of caller id violates 15 U.S.C. §§1692e(10), 1692f, and 1692d(6) and M.C.L. §§ 339.915(e), (g).

6. This request will not cause any delay nor prejudice Defendants in this matter as Defendants have just appeared and filed their answer to the Complaint of February 23, 2007.

WHEREFORE, plaintiff requests this Honorable Court to permit him to file the Amended Complaint attached hereto as Appendix 1.

Respectfully submitted,

s/ Curtis C. Warner
Curtis C. Warner

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